	Page 1 IN THE UNITED STATES DISTRICT COURT
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	FOR THE DISTRICT OF DELAWARE '
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3	CTITE 2 CHION NO. 00 271 WAT
4	IN RE: ADAMS GOLF, CIVIL ACTION NO. 99-371-KAJ
	INC., SECURITIES
5	LITIGATION (CONSOLIDATED)
6	
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9	
10	Oral deposition of JOHN
11	MICHAEL MORRASH, taken at the law
12	offices of BERGER & MONTAGUE, P.C., 1622
13	Locust Street, Philadelphia,
14	Pennsylvania, on Wednesday, February 23,
15	2005, at 10:12 a.m., before Rosemary
16	Locklear, Registered Professional
17	Reporter, Certified Shorthand Reporter
18	(NJ), Certified Realtime Reporter and
19	Notary Public, pursuant to notice.
20	
21	
22	
23	
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2/23/2005 IN RE: ADAMS GOLF, INC., SECURITIES LITIGATION

IN MORRASH	2/23/2005 IN R.E.:	ADAMS GOLF, INC., SECURITIES LITT	UATION
	Page 2	AND A CONTACT MADDINATE IS A SECOND ACTION OF THE PARTY O	Page 4
APPEARANCES:		OHN MICHAEL MORRASH, having	jā.
BERGER & MONTAGUE, P.C BY: ELIZABETH WILLIAMS FOX, ESQUIRE		lly sworn, was examined and	•
efox@bm.net 1622 Locust Street	3 testifie	d as follows:	13
Philadelphia, Pennsylvania 19103-6305	4	EXAMINATION	
(215) 875-3000		BRANNEN:	
and		od morning, Mr. Morrash.	
LAW OFFICE OF DONALD B. LEWIS	6 Q. Go	AG FOY. Defere you start I	
BY: DONALD B LEWIS. ESQUIRE 5 Cynwyd Road	[ 7 ] N	MS FOX: Before you start, I	
Bala Cynwyd, Pennsylvania 19004	8 have so	omething to put on the record.	
(610) 668-0331 Appearing on behalf of the Plaintiffs	9 1	Mr. Morrash, when he was	ļ
AKIN, GUMP, STRAUSS, HAUER & FELD, L.L. P BY: JENNIFER R. BRANNEN. ESQUIRE	10 consid	ering all the stuff last night,	Ì
ibrannen@lakingump.com	11 looked	at his Interrogatory answers and	ļ:
LAURA MORIATY, ESQUIRE lmoriaty@akingump.com	12 realize	d that one of his Interrogatory	
300 West 6th Street, Suite 2100 Austin, Texas 78701-2916	13 answer	s was incomplete and he has	
(512) 499-6200	15 aliswei	eted it and then signed an	
Appearing on behalf of the Defendants Adams Golf. inc., B. H. Adams, Richard H. Murtland, Darl P	14 comple	eted it and their signed air	
Haiffeld, Paul F. Brown, Jr., Roland E. Casati. Finis F. Conner and Stephen R. Patchin	F .	vit. So that's the completed	
•	16 Affida		
SIMPSON THACHER & BARTLETT, L.L.P. BY: THEODORE J McEVOY, ESQUIRE		MS. BRANNEN: Okay. And I	
tmcevoy@stblaw.com	18 was in	and out at the last deposition,	
425 Lexington Avenue New York, New York 10017-3954	19 but is	this did you give us	
(212) 455-3382 Appearing on behalf of the Defendants Lehman	20 signat	ures for all the Interrogatories	
Brothers Holdings, Inc.; Banc of America	20 Signat	last one? I vaguely recall	
Securities, L.I.C; and Ferris. Baker Watts. Incorporated			
EXAMINATION INDEX	22 somet		
JOHN MICHAEL MORRASH		MS. FOX: Can we go off the	
BY MS BRANNEN 4 BY MR. McEVOY 176	24 record	[?	
BY MS BRANNEN 183 BY MS FOX 184	25	(Discussion off the record.)	
	Page 3		Page 5
EXHIBIT INDEX	1	MS. BRANNEN: Well, let's go	
2		on the record, then.	
MARKED	1	IS BRANNEN:	
3 16 1-page copy of document entitled "John 14			
M Morrash." plus attachment, JMM 59-JMM 60	4 Q. C	Good morning, Mr. Morrash. I'm	
5	5 Jenny	Brannen and I represent the Adams	
17 9-page copy of document entitled 110	6 Golf	defendants. I guess, let's see,	
6 "Responses and Objections of John M Morrash to Defendant Adams Golf, Inc 's	7 you'v	e already spelled your name for the	
7 First Request for the Production of		reporter	
Documents and Things from Proposed  8 Class Representatives Federated	9	Can you give us your date of	
National Insurance Co , John Morrash		as well.	
9 Todd Tonore, F. Kenneth Shockley, and Patricia Craus"		Sure. October 12th, 1954.	
0	111 A. 5	Mess. House you ever had your	
18 7-page copy of document entitled 112 "Plaintiff John M Morrash's Responses	12 Q. (	Dkay Have you ever had your	
to Defendant Adams Golf's First Set of		sition taken before?	
12 Interrogatories" 13 19 22-page copy of document entitled 122	14 A.		
"Class Action Complaint for Violations		When was that?	
of Federal Securities Laws," plus		don't remember specifically, but	
attachments 15		is a few years ago.	
20 I-page copy of document entitled "Adam 156	10 0	Was that the only time you've ever	
16 Golf Litigation," plus attachments. JMM	18 Q. '	Was that the only time you've ever	
16 Golf Litigation," plus attachments. JMM 1. JMM 3-JMM 15	18 Q. 19 had i	t taken?	
16 Golf Litigation," plus attachments. JMM 1. JMM 3-JMM 15  17 21 Multi-page copy of document dated 163	18 Q. 19 had i 20 <b>A.</b>	t taken? Yes.	
16 Golf Litigation," plus attachments. JMM 1. JMM 3-JMM 15  17 21 Multi-page copy of document dated 163 18 8/12/98 entitled "Ferris Baker Watts"	18 Q. 19 had i 20 <b>A.</b>	t taken?	
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16 Golf Litigation," plus attachments. JMM 1. JMM 3-JMM 15  17 21 Multi-page copy of document dated 18 8/12/98 entitled "Ferris Baker Watts" JMM 16-JMM 39  19 20	18 Q 19 had i 20 <b>A.</b> 21 Q 22 <b>A</b> .	t taken? Yes. What kind of case was it? That was a wrongful dismissal	
16 Golf Litigation," plus attachments. JMM 1. JMM 3-JMM 15  17 21 Multi-page copy of document dated 18 8/12/98 entitled "Ferris Baker Watts"  JMM 16-JMM 39  19 20 21 22	18 Q. 19 had i 20 A. 21 Q. 22 A. 23 case	t taken? Yes. What kind of case was it? <b>That was a wrongful dismissal</b>	
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	Page 6			Page 8
1	claiming that his employer violated	1	medication that would prevent you from	
2 3	employment law resulting in his or her	2	testifying truthfully and accurately?	
, <i>'</i> 3	dismissal.	3	A. There are none.	
4	Q. We call it wrongful termination in	4	Q. Okay. When did you learn that you	
5	Texas	5	would have to give a deposition in this	
6	A. Yes. Okay.	6	litigation?	
7	Q. There you go. I was confused.	7	A. I believe that would have been in	
8	Were you a party to the case?	8	January of this year.	
9	A. I was a defendant, yes.	9	Q. And who told you?	
10	Q. Okay. And who was the company?	10	A. Ms. Fox told me.	
11	The employer?	11	Q. And with whom have you met in	
12	A. The employer was a company that	12	person to prepare for the deposition?	
13	did business as Medford Ice Rink, and	13	A. I had a meeting with Liz Fox, Don	
14	the name of the company was MARA, M-A	14	Lewis, and Todd Collins.	
15	all caps, M-A-R-A, L.L.C.	15	Q. And when did you meet with them?	
16	Q. So you're probably familiar then	16	A. I met with them last night.	
17	or may vaguely recall the basic ground	17	Q. Was that the only time that you	
18	rules of a deposition, that you're under	18	met with them to prepare for your	
19	oath, it's just like being in court and	19	deposition?	
20	being your testimony is sworn.	20	A. Yes, that was the only time.	
21	Do you understand that?	21	MS FOX: Well, this morning,	
.22	A. I understand that my testimony is	22	obviously.	
23	under a oath, yes.	23	THE WITNESS: Oh. This	
24	Q. And so you must testify	24	morning.	
25	truthfully	25	BY MS. BRANNEN:	
<u></u>		<del> </del>		

Page 7

For the court reporter's sake, please answer audibly, try not to nod or say uh-huh and, you know, wait for me to finish my question so that both of us aren't trying to talk at once.

If you don't understand my questions, please tell me. I'll try and be as clear as possible, but feel free to ask me if you don't understand one of my questions; but if you answer, I'll assume that you understood.

And if you need a break at any point, just let me know, but try not to do it while a question is pending.

You know, try and answer the question to the best of your ability before we take

18 a break.

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And in response to my questions, don't guess, but I'm entitled to whatever your best recollection is.

And then finally, is there
any reason that you can't give me your
best testimony here today? Is there any
kind of mental or physical condition or

1 Q. So twice, last night and then this

2 morning?

3 A. Once last night.

4 Q. And then also this morning?

5 A. Yes.

6 Q. How long did you meet each time?

7 A. This morning, 15 or 20 minutes;

8 last night, perhaps two hours, two and a

half hours.

10 Q. And had you ever met personally

11 with any of your attorneys before

2 yesterday?

13 A. Personally, if that means face-to-

14 face, no. But by phone on a good number

15 of occasions.

16 Q. Were the phone calls in

17 preparation for your deposition?

18 A. No.

19 Q. So those were just other

20 communications with your attorneys by

21 phone?

22 A. Yes.

23 Q. And did you review any documents

24 to prepare for this deposition?

5 A. Yes.

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2/23/2005 IN RE: ADAMS GOLF, INC., SECURITIES LITIGATION

, VIIIV	MONGASH				
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Do you recall which documents?  A. I reviewed the documents that were in my file, personal file that I kept with respect to this investment. And I also reviewed some information on the Internet last night.  Q. What sort of information was that?  A. SEC filings by the company.  Q. And when did you review the documents in your file?  A. I reviewed them intensely last night.  Q. And did reviewing those documents refresh your memory about any of the events connected with the lawsuit?  A. Yes.	Page 10	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Uh-huh. Q. Can you give us your current address, please. A. Sure. It's 3565 Lexington Drive, in Doylestown, Pennsylvania. Q. And your telephone number. A. My home phone number? Q. Yes. A. Is 215-345-4096. Q. And was that your same address during 1998 to 1999 time frame? A. No, it wasn't. Q. What was your address then? A. My address then was 3901 Sherwood Lane, Doylestown, Pennsylvania. Q. And what's your business address?	Page 12
17 18 19 20 21 22 23 24 25	Q. Which events?  A. Primarily, it refreshed my memory as to why I was so upset about this situation.  Q. And so which documents were the ones primarily that refreshed your memory?  A. The ones in my file.  Q. Yes. And we'll go through those		17 18 19 20 21 22 23 24 25	A. My current business address is Radnor Corporate Center in Radnor, Pennsylvania. Q. Is there a street address or is that A. It's Building 3; it's fourth floor. Q. Okay. So no ZIP Code, though? Just, you know, for the record, we're	
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	A. I'm referring to the Baker Watts report that was written on the company in August of 1998, and then I'm also referring to financial results that I saw on the Internet by way of my viewing SEC filings.  Q. And what time period were those SEC filings for?  A. I looked at the 10-K for 1998, the 10-K for 1999, the 10-Q for the period ended September 30th, 1998, to the best of my recollection.  Q. Oh. And let's walk through a few just personal details so that we have	Page I l	1 2 3 4 4 5 6 6 7 8 9 10 111 122 133 144 155 166 177 188 199 20 21 22 22 24 25	Q. And then next I want to walk through just your educational background, your formal education. Did you graduate from college?  A. I did. And we've provided a brief resume to you.  Q. Right. Right. We will get to that shortly.  What was your degree in, just so that we can get it on the record?  A. B.S. degree in accounting.  Q. Okay. And do you belong to any seminars? I'm sorry. Have you attended a lot of accounting and financially-	Page 13

		Page 14			Page 16
1	your background is in accounting?		1	Q. Okay. Then we don't need to walk	
2	A. From time to time, yes.		2	through the whole thing.	
2 3	Q. What about courses in investing		3	Mr. Morrash, do you know who	
4	and that kind of thing?		4	it is exactly that you're suing in this	
5	A. Formal courses, no.		5	litigation?	
6	Q. Do you belong to any professional		6	A. Yes, I do.	
7	societies?		7	Q. Can you identify the defendants	
8	A. I belong to the Pennsylvania		8	for me?	
9	Institute of Certified Public		9	A. The defendants include Barney	
10	Accountants and the American Institute		10	Adams, other officers of the company	
11	of Certified Public Accountants.		11	whose name I don't have memorized but	
12	Q. Okay. And let me go ahead and		12	are clearly indicated in the Complaint.	
13	introduce your resume, which I'm going		13	We're also suing three underwriters, and	
14	to ask the court reporter to mark as		14	they are the that's who we're suing.	
15	Exhibit 16.		15	Q. And do you know why you're suing	
16	(Exhibit 16 was marked for		16	those defendants?	
17	identification.)		17	A. I certainly do.	
18	MS. BRANNEN: And I've just		18	Q. Can you explain to me what it is	
19	left the page that was behind it which		19	that you believe they did wrong?	
20	looks like just a file label page but		20	A. Yes, I can. I believe they did a	
21	attached with this one		21	lot of things wrong, including excluding	
22	MS FOX: Yes That is the		22	material information with respect to	
23	back of the folder.		23	certain risks associated with this	
24	MS. BRANNEN: Of the folder		24	investment from the prospectus and	
25	Okay. I just figured I'd leave it with		25	registration statement.	
7		Page 15			Page 1
$^{\prime}1$	this one so that it stayed with		1	Q. And can you tell me what	
			1 -	4 3	
2	something.		2	statements you think or risks you think	
2 3	something. BY MS. BRANNEN:		1 -		
	BY MS. BRANNEN:		2 3 4	statements you think or risks you think were omitted from the registration statement?	
3			2 3	statements you think or risks you think were omitted from the registration statement?  A. Yes, I can. I think that what was	
3 4	BY MS. BRANNEN: Q. So can you identify this document		2 3 4 5 6	statements you think or risks you think were omitted from the registration statement?  A. Yes, I can. I think that what was omitted was adequate disclosure with	
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	BY MS. BRANNEN: Q. So can you identify this document for the record, please. A. Yes. Appears to be the document that I prepared in response to a request by my attorneys. Q. And can you describe the document? A. Sure. It's a MS. FOX: Wait a second. Could I have the or let him look at the real document and let me look at this one. Good. Thank you. THE WITNESS: It is a summary of my college education, professional certificates received, and employment by employer with various detailed positions indicating some in all cases for the period beginning in 1996 to the present. BY MS. BRANNEN: Q. Okay. And this is a full and accurate description of your employment history and educational history?		2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	statements you think or risks you think were omitted from the registration statement?  A. Yes, I can. I think that what was omitted was adequate disclosure with respect to the company's product being sold in gray markets.  Q. And can you tell me what evidence you have that supports that belief?  A. Well, I've I relied on my attorneys to articulate the claim and the particulars of the claim and I think that that stands on its own.  Q. Can you tell me what facts you know about, though, that support your belief that the risk of gray marketing was  A. Yes.  Q wrongfully omitted from the prospectus?  A. Yes. Absolutely.  Can you repeat the question again?	

JOHN MORRASH	2/23/	2005	IN RE: ADAMS GOLF, INC., SECORITIES LIT	
facts you personally know about or have learned that support your belief about what defendants you think did wrong?  A. Well, I know that the I know that the company sometime prior to going public released to the public by way of a press release the fact that it was aware that its products were appearing in the gray market. I know that the prospectus and registration says nothing about it.  And I also know that in later filings, that is filings subsequent to the public offering, that the company has disclosed the fact that its products are being sold in the gray market.  Q. Did you  A. And go ahead. Q. I'm sorry. Go ahead. I didn't mean to cut you off if you weren't done. A. I'm done.  Q. So you mentioned a press release that was issued before the company went public. Did you see that press release?  MS. FOX: You have to say	Page 18	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Q. Well, I mean you kind of you listed sort of a group of people A. Yes. Right. Q and I just wondered if you knew exactly how many people had been sued. A. It's a matter of public record. I didn't count them to refresh my memory. Q. And so in terms of the officers of the company that, you know, you listed sort of as a group, you said you hadn't memorized their names, but do you know at all generally, you know, what their responsibility at the company was or what they might have A. I know that the chief financial officer is one of those individuals. Q. And is he the only one whose title you recall? A. Yes. Although I have read the Complaint a number of times and I've read their names and titles a number of times, I just haven't committed them to memory. Q. So I just want to go through kind of some of your understanding of what	Page 20
what time frame you're talking about.  MS. BRANNEN: Well, he  MS. FOX: Are you asking him  did he see it before the Complaint was  filed?  MS. BRANNEN: Yes.  BY MS. BRANNEN:  Q. Did you see that press release  actually at the time the press release  was issued?  A. At the time it was issued?  Q. Uh-huh.  A. No, I didn't.	Page 15	1 2 3 4 5 6 7 8 9 10 11 12	products exactly they sold?  A. I know that they had a fairway wood called Tight Lies. I don't remember exactly what the degrees of	Page 21

purchased your Adams Golf stock? 18 A. I didn't. 19

14

16

17

20 Q Going back on the parties that

21 have been sued in the lawsuit, do you

Q Did you see the press release

Q And had you seen it before you

15 before the company went public?

22 know off the top of your head how many

23 defendants there are?

A. No, I didn't.

A. What do you mean, off the top of 24

my head? Do you mean approximately?

14 intended to be a club that's easier to

15 hit a ball that appears in the fairway a

16 long distance because a lot of people have trouble hitting long irons. 17

O. Yes, they do. 18

Do you know how Adams Golf 19 was marketing its products in 1998? 20

A. I know -- can you repeat that 21

question, please? 22

Q. Just whether or not you know how 23

Adams Golf was marketing its products in 24

25 1998.

JOIN MORASII				
1 A. Today I do know how they're 2 marketing their products in 1998, yes. 3 They were selling their products through 4 two primary outlets. One was a direct 5 outlet where I believe they indicated 6 they had about 200,000 direct customers, 7 and then they were selling through a 8 selected distribution channel, which 9 included approximately 7,000 golf shops. 10 Q. And were you aware of that of 11 how they marketed their products in 1998 12 when you bought your stock? 13 A. No. Because I didn't make the 14 decision to buy my stock. My broker		2 3 4	my file a report from Baker Watts, an analyst report, which was written in August of 1998.  Q. And so was that the only analyst report that you recall reading about the stock?  A. That's the only one I recall reading about it. That was a long time ago, so I don't have full recollection of what I might read — might have read.  Q. It was the only one you kept in your file, anyway.  A. Yes.  Q. And you mentioned Barney Adams as	Page 24
16 Q. Why did your broker recommend that 17 you buy Adams Golf? Or he actually made 18 the decision to do it? 19 A. My broker made the decision to buy 20 it, yes. 21 Q. Did he tell you about that 22 decision before he bought it? 23 A. No. He has discretionary		16 17 18 19 20 21 22 23	you know who he is, what his position is at the company?  A. I believe he is CEO and chairman of the board.  Q. And A. I believe he has been since inception.  Q. And so did you know him personally	
24 authority with respect to the account. 25 Q. And so at what point did you	Page 23	24 25	at all? A. No.	Page 2:

become aware that he had purchased Adams

- 2 Golf stock?
- 3 A. Within several days of the IPO.
- 4 O. Okay. And I'll probably come back
- 5 to that in a little bit. But in 1998
- 6 had you ever seen any Adams Golf
- 7 advertisements?
- 8 A. I don't recall if in 1998 I saw
- 9 any advertisements.
- 10 Q. And did you know anything about
- 11 the IPO until your broker told you he
- 12 had purchased the stock in the IPO?
- 13 A. To the best of my recollection, I
- 14 knew nothing about the IPO prior to it
- 15 occurring.
- 16 Q. And once you learned about the
- 17 IPO, did you follow the company after
- 18 that?
- 19 A. I did, yes.
- 20 Q How did you do that? What kind of
- 21 information did you read to learn about
- 22 the company?
- 23 A. I obtained information off of the
- 24 Internet. I think at the time I was
- 5 using Yahoo! Finance, and then I have in

1 O. And what is it that you believe

- 2 Barney Adams in particular did wrong?
- 3 A. I believe that he -- I believe he
- 4 initiated and carried out an effort to
- 5 oversell his product during the period
- 6 just prior to the IPO in order to
- 7 inflate the value of the company and
- 8 maximize the value of the public
- 9 offering.
- 10 O. So when you say "he carried out an
- 1 effort to oversell his product," what do
- 12 you mean by that? How do you believe he
- 13 did that?
- 14 A. I'm not going to speculate as to
- 15 how he did it, but I think if you look
- 16 at the financial statements, that you
- 17 can draw a very reasonable conclusion
- 18 that that's what happened.
- 19 O. And what is it in the financial
- 20 statements that would make you draw that
- 21 conclusion?
- 22 A. The peak in sales during that
- 23 period of time when the company went
- 24 public.
- 25 Q. Do you think there could be any

7 (Pages 22 to 25)

2/23/2005 IN RE: ADAMS GOLF, INC., SECURITIES LITIGATION

	Pag	ge 34			Page 36	
1	A. I would have after my broker		1	difference of opinion.	ļ	3.
2	buys shares, he sends the information to		2	Q. Can you give me an example?	4	
3	me, so my broker would have had access		3	A. Theoretically, if he bought		1
4	to this prior to his buying the shares		4	something that I just didn't like and		1
5	for my account.		5	thought it was a bad idea, he would be		
6	Q. So I guess I'm not 100 percent		6	likely to sell it. If I bought		1
7	clear. So did you you received it		7	something that I was somewhat unsure		
8	after your broker bought the shares or		8	about but he was more confident in		1
9	no?		9	because he had done research and so on,		
10	A. I would assume so because I		10	then I would be more inclined to allow		i
11	received all proxy, all I'm sorry		11	his decision to prevail.		
12	prospectus for other IPOs I was involved		12	Q. So do you know whether Adams Golf		ı
13	in subsequent to my broker buying those		13	was one of those things that where		
14	stocks.		14	would you put it sort of on the scale of		
15	Q. And do you recall reading that		15	you being less confident about or, you		1
16	prospectus at the time?		16	know, being averse to holding?		200
17	A. That was a long time ago. I don't	1	17	MS. FOX: At what point?		
18	recall the moment I read it, no.		18	BY MS. BRANNEN:		

O. Immediately, I guess, after it was Q. But you have read it before? 19 19 20 purchased and you learned about the A. Subsequent to my learning that I 20 21 -- the account -- the shares were 21 A. Oh, I was glad to have the shares. 2.2 purchased for my account, I read various 22 23 documents with respect to the company.

Most -- some of those were documents 24

25 prepared in compliance with securities

Q. And did you discuss with your 23 broker like how much research he had 25 done on it before he purchased it?

and exchange laws, like 10-Ks and 10-Qs 1 and prospectus and registration 2 3 statements. Q. But you don't recall specifically 4 if you read this one? 5 A. I don't have a specific 6 recollection, no, but my broker had 7 8 access to it prior to and he made the 9 decision to buy the shares. O. Right And so how did that 10 relationship work? I know you said he had discretion to invest for you. If he

11 12 13 made an investment and then after the 14 fact you -- would you research it and

15 decide if you wanted to stay in it or

16 did he have discretion then to decide

17 when to sell as well?

A. He had full discretion. I would 18 give him my opinion sometimes, but at 19

20 the end of the day I let his judgment

21 prevail.

Q. So if you guys had a difference of 22

opinion, he would make the final call on 23 whether to buy or to hold something? 24

A. Depending on the magnitude of the 25

Page 35 A. I had a discussion with him about

the company. He was -- appeared to be

informed about it. I don't recall

asking him if he had read the

registration statement, but he was -- he

was informed about the company.

Q. Do you know where he had gotten 7

his information about the company from other than possibly the registration

10 statement?

11 A. Well, that's - he's in that

business, so I don't -- and he works for

a firm. I don't know where they get 13

14 their information.

Q. Okay. You didn't discuss it with 15

him. You don't know. 16

17 A. No.

18 O. Do you know which statements --

can you identify which statements in the 19

prospectus you believe were false and 20

misleading? You can --21

22 A. I think that they're articulated

23 pretty well in the -- in the Complaints

and I believe that they're quoted in 24

25 there. Page 37

IOHN WORRASH	2 2 21 E		Tivide. Advantab Copi, inco, object the	
definition, in my opinion, not as an expert but as an investor, is material information that is relevant to my decision to hold these shares or sell them or buy them in the beginning.  Q. Do you know whether gray marketing is something that's limited to the golf industry?  A. No. It's not limited to the golf industry.  Q. What other industries are affected by it?  A. Jewelry, watches, purses. You know, a lot of retail products, I would assume.  Q. Do you know whether other golf companies were affected by gray marketing in 1998?  A. I don't know. I don't know if they were or not.  Q. How familiar are you with the golf industry sort of generally? Do you golf or  A. I don't golf frequently now. I have in the past. I've never been a	Page 54	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	other golf companies were affected by gray marketing in '98?  A. I don't know.  Q. So do you know when Adams Golf disclosed the information that you're alleging it should have disclosed in the prospectus?  A. I saw it in the — in the 1999  10-K, and my recollection, though not specific, was that there was a disclosure prior to that as well.  Q. What kind of a disclosure?  A. I don't have perfect recollection on this matter, but it may have been a press release. It may have been in a 10-Q. I'm not sure.  Q. Do you recall the approximate time frame when that disclosure was made?  A. I don't want to guess. I believe it was within a year of them being public — going public.  Q. Were you still holding Adams Golf at the time of that disclosure?  A. I just don't recall. That was a long time ago.	Page 56
OMESTICATION OF THE PROPERTY O	Page 55		<del></del>	Page 57

serious golfer.

Q. So you didn't keep up particularly

with any of the other golf companies in

the industry when you were investing in

Adams Golf? 5

A. From the perspective of a consumer

7 or an investor?

8 Q. Both, actually.

9 A. Well, from the perspective of a

consumer, I would frequently walk 10

through golf shops and see what was 11

available. I've purchased clubs from 12

13 time to time.

Q. When you purchased clubs, did you 14

purchase them at a specialty shop or at 15

a mass distribution outlet? 16

A. At a specialty shop. 17

O. Do you know what other clubs were 18

available at mass distribution outlets 19

20 in that time frame?

A. I've walked through mass 21

22 distribution outlets and see a whole

23 bunch of clubs sitting in a bin. I just

24 usually take a glance and keep walking.

O. So you don't know whether any

Page 55 O. If you were, would it have

affected your decision about whether to

hold onto the stock?

A. Of course, it would.

MR. McEVOY: I'm sorry I

just couldn't --

19

THE WITNESS: I said of

course it would have.

BY MS. BRANNEN:

Q. How would it have affected your 10

decision? In what way? 11

12 A. What it would tell me was that

this is a company that is not selling a 13

product in which they're trying to 14

create a lot of value in the brand and 15

which is the underlying basis and theory 16

upon which this was -- this company was 17

18

founded, in my opinion, as an investor.

It wasn't founded as a

company to produce clubs in high volumes 20

for mass distribution. Those would be 21

22 more efficiently made overseas.

Q. What's your understanding of the 23

disclosure that was made? Was it that 24

Adams Golf had decided to sell to mass 25

2/23/2005 IN RE: ADAMS GOLF, INC., SECURITIES LITIGATION

15 any, just say so. The life A. Give me the Co. 17 MS. FOX: Volume 18 Object to the	o give you a  o get at is your ling of the case.  t's why I'm just personal facts that support f. If you don't have hat's fine.  complaint and I'll —  Vait.		1 2 3 4 5 6 7 8 9 10 11 11 12 13 14 15 16 17 18	is disputing the facts.  Q. Can you take a look at Page 29 of the prospectus, please. In the next-to-the-last paragraph where it says: Sales to retailers. The prospectus states that the company sells a significant majority of its products to selected retailers. To maintain its high-quality reputation and generate retailer loyalty, the company does not sell its products through price-sensitive general discount warehouses, department stores or membership clubs.  Do you believe that was a true statement in 1998, at the time of the prospectus?  A. It may have been true, but, in my opinion, it's incomplete with respect to the substance of the point that's trying	Page 72
16 A. Give me the C 17 MS. FOX: V	Complaint and I'll — Vait.		17	A. It may have been true, but, in my	
19 He has giver 20 facts 21 THE WITN 22 MS BRAN 23 you read my last q	you a number of		19 20 21 22 23 24 25	the substance of the point that's trying to be made there.  Q. And why is that?  A. They may not sell directly to mass production — to mass distribution, but their product may end up there, and if they have knowledge of their product	
	7	Page 71	1	Line up there then they aught to tell	Page 7

"QUESTION: So if you --1 that's why I'm just asking you for your 2 personal recollection of the facts that support your personal belief. If you don't have any, just say so. That's 5 fine.") 6 THE WITNESS: There are 7

facts. The company disclosed that its products were ending up in gray markets prior to it going public. The company disclosed that its products ended up in gray markets subsequent to going 12 public. The company disclosed that its products ended up in mass distribution 14 15 in their, I believe, 1999 10-K.

As I also indicated earlier, 16 17 I believe sometime subsequent to going public and prior to that 10-K there was 18

another disclosure of some form that 19

20 their -- that their products are sold --21 are being sold in gray markets. So

22 there are plenty of facts.

23 BY MS. BRANNEN:

24 O. Can you --

A. In fact, I don't think Adams Golf

ending up there, then they ought to tell

investors about it because it's

important to investors for the reasons

that are articulated in their own

5 language.

It's pretty easy. These guys screwed up. It's very easy. This is not rocket science. It's not rocket science. It's easy.

Q. I'm going to show you --10

11 A. I-

9

12 Q. -- this document that's --

13 A. I'd love to tell my story to a

14 jury. That's what I would -- you know.

Okay? Instead of you. But we'll go 15 16

through this.

Q. I'm going to show you this 17

document that's been previously marked 18

as Exhibit 2. 19

Do you recognize this 20

document? 21

22 A. This appears to be the Amended

23 Complaint.

O. Do you recall when you first saw 24

25 this document?

8

10

11

13

<u> </u>	Page 1	26			Page 128
1.1	became an action of this nature, i.e., a		1	have suffered a similar loss?	
<sup>3</sup> 9	class action.		2	MS. FOX: Again, it calls for	
3	Q. But you're not you don't know		3	a legal conclusion.	
4	specifically whose idea it was		4	MS. BRANNEN: I asked him to	
5	A. Well, it was the attorneys, the		5	describe it in his own words.	
6	attorneys who are involved in the case,		6	BY MS. BRANNEN:	
7	including the attorneys who are	1	7	Q. You can answer the question.	
8	representing		8	A. I'm sure I could give it to you in	
9	Q. But no one specific one, or you		9	laymen's terms. I know that there is a	
10	don't know for sure?		10	class and a subclass that is these	
11	A. I don't know for sure which	_   ·	11	both these classes — one class includes	
12	specific attorney, no.		12	individuals who purchased the stock on	
13	Q And then I know you mentioned		13	the IPO, the other includes individuals	
14	Kenneth Schockley and David Schockley	l	14	who purchased the stock within a - I	ļ
15	were also lead plaintiffs. What's		15	believe a 25-day window following the	
16	their who is Bill Schockley in	1	16	IPO.	
17	relation to them?		17	And can you repeat I think	
18	A. Bill is Dr. Kenneth Schockley's		18	there was more than one part of the	
19	son, and David Schockley is Ken		19	question, if you wouldn't mind repeating	
20	Schockley's son as well.	- 1	20	it.	
21	Q. And so is Bill Schockley a named		21	Q. That was really it	
22	plaintiff?		22	A. Okay.	
23	A. To my knowledge, he is not.		23	Q. Just whether you could kind of	
24	Q. Do you know why not?	1	24	describe the boundaries of the class	
25	A. I don't know why not.		25	that you're seeking to represent	
<u>'</u>	Page	127			Page 129
1/1	Q. Do you know whether you're seeking	1	1	A. Okay.	
1 -	χ. = y = y = x = x = x = x = x = x = x = x	- [	2	O in tamma of rules there are	

Q. -- in terms of who they are. to be named a class representative by A. Uh-huh. the Court? 3 4 O. Why do you want to be a class 4 A. I believe I am. I'm willing to 5 representative? 5 be ---A. Because I think that there has MS\_FOX: Object\_ This --6 been a -- an injustice here. There's it's really a legal question of --7 been a wrong here. I think it's a wrong THE WITNESS: Yeah. 8 MS. BRANNEN: I'm just asking that needs to be righted. I think 9 10 there's been a -- I think this is a case for his understanding of what he's 10 of thievery and theft. I think Barney seeking to do in this lawsuit. 11 11 Adams stole this money from people. 12 THE WITNESS: Well, I can put 12 Okay? In the -- in a broad sense of the 13 13 it in laymen's terms. 14 word. 14 BY MS. BRANNEN: 15 He didn't come and take 15 O That's great. his -- put his hands in our pockets, but 16 A. And in laymen's terms, what I'm 16 he sold us a stock that he said and that 17 willing to do is to -- is to represent 17 the company said and that the 18 18 in whatever capacity it is -- is underwriters said was worth \$16 a share necessary other individuals who have 19 19 20 and he took our money. And in a very suffered a loss that is of the same 20 few months all that evaporated. So I 21 21 nature and same genesis as my loss. think he ought to give that money back 22 Q And so can you describe in your 22 23 own words kind of what the boundaries 23 to us. 24 O. Do you know how many members are are of that class that you're trying to

in the class that you're seeking to

represent, who those people are that

OHN MOKKASH				1
	Page 130	1 A	. Just a handful of us, I believe.	Page 132
1 represent?		2 (	Have you ever met with any of the	
2 A. I don't know. I assume that there		3 0	ther proposed class representatives?	h
3 are thousands. I don't know		3 0 4 A	A. I have not.	499
4 specifically how many.			Have you ever met Kenneth	
5 Q. And do you know when the other		6 9	Schockley or David Schockley?	
6 class members bought their Adams Golf		6 S	A. I have met them in the sense that	100
7 stock?		/ <i>F</i>	know them, yes. I've never met with	
8 MS FOX: I think he just		8 J 9 t	them to discuss this case.	lì
9 described that with some clarity		9 L	Q. Okay. Did you know that Federated	
10 BY MS. BRANNEN:		10 (	National Insurance Company was a class	
11 Q. Can you just repeat the answer?		11 1	representative or proposed class	
12 Sorry.				1
13 A. I'll repeat it. Yes. Some of		13 1	representative?	
14 them bought it on the IPO. Some of them		14	A. Not I recall reading that name, but really didn't focus on it.	
15 bought it within a 25-day window of the		15	Q. Did you know that they withdrew	
16 IPO.		16	from consideration as a proposed class	
17 Q. And do you know why those class				
18 members bought their stock?			representative?	
MS. FOX: How could he	!	19	A. No. Q. And so I guess you don't know why	
20 possibly?		20	they withdrew, then	
21 THE WITNESS: I would not			A. It's not relevant to me.	
22 have any possible knowledge of why they		22	Q Do you have an agreement with your	
23 bought their stock.		23	attorneys concerning who pays the costs	
24 BY MS. BRANNEN:				
25 Q. Do you know when the alleged class		25	for you to act as a class	
	Page 131			Page 133
1 period begins?		1	representative?	
2 A. Can you define what the class		2	A. I don't have an agreement with	
3 period is?		3	them.	
4 MS FOX: Calls for a legal		4	Q. Who is paying I'm guessing it	
5 conclusion again.		5	sounded like you could drive here; you	
6 BY MS BRANNEN:		6	didn't have travel expenses to get here	
7 Q Let me just move to another		1 7	today; is that right?	
			10 447 ; 10 4444 1-16-1-1	
1.8 question.		8	A. I've not been reimbursed for any	
8 question. 9 Do you think your claims are			A. I've not been reimbursed for any of my expenses, and I have not to date	
9 Do you think your claims are		8	A. I've not been reimbursed for any	
9 Do you think your claims are 10 similar to the class of plaintiffs you		8 9	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent?		8 9 10	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  O. Do you plan to ask for	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes.		8 9 10 11	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 O. And I may have already asked you		8 9 10 11 12	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?  A. If they become significant,	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 Q. And I may have already asked you 14 this, but do you know how many other		8 9 10 11 12 13	<ul> <li>A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.</li> <li>Q. Do you plan to ask for reimbursement of any of your expenses?</li> <li>A. If they become significant, whatever that means to me, perhaps, but</li> </ul>	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 Q. And I may have already asked you 14 this, but do you know how many other 15 proposed class representatives there		8 9 10 11 12 13 14	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?  A. If they become significant, whatever that means to me, perhaps, but not necessarily.	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 Q. And I may have already asked you 14 this, but do you know how many other 15 proposed class representatives there 16 are?		8 9 10 11 12 13 14 15	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?  A. If they become significant, whatever that means to me, perhaps, but not necessarily.  Q. What would that mean to you? What	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 Q. And I may have already asked you 14 this, but do you know how many other 15 proposed class representatives there 16 are? 17 MS FOX: It's been asked.		8 9 10 11 12 13 14 15 16	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?  A. If they become significant, whatever that means to me, perhaps, but not necessarily.  Q. What would that mean to you? What would be a significant cost to you?	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 Q. And I may have already asked you 14 this, but do you know how many other 15 proposed class representatives there 16 are? 17 MS FOX: It's been asked 18 He said in the thousands		8 9 10 11 12 13 14 15 16 17	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?  A. If they become significant, whatever that means to me, perhaps, but not necessarily.  Q. What would that mean to you? What would be a significant cost to you?  A. I don't know. Like I said, it	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 Q. And I may have already asked you 14 this, but do you know how many other 15 proposed class representatives there 16 are? 17 MS FOX: It's been asked 18 He said in the thousands 19 THE WITNESS: Yeah		8 9 10 11 12 13 14 15 16 17 18	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?  A. If they become significant, whatever that means to me, perhaps, but not necessarily.  Q. What would that mean to you? What would be a significant cost to you?  A. I don't know. Like I said, it would depend on how I feel at the time.	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 Q. And I may have already asked you 14 this, but do you know how many other 15 proposed class representatives there 16 are? 17 MS FOX: It's been asked 18 He said in the thousands 19 THE WITNESS: Yeah 20 MS BRANNEN: No, I don't		8 9 10 11 12 13 14 15 16 17 18 19	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?  A. If they become significant, whatever that means to me, perhaps, but not necessarily.  Q. What would that mean to you? What would be a significant cost to you?  A. I don't know. Like I said, it would depend on how I feel at the time.	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 Q. And I may have already asked you 14 this, but do you know how many other 15 proposed class representatives there 16 are? 17 MS FOX: It's been asked 18 He said in the thousands 19 THE WITNESS: Yeah 20 MS BRANNEN: No, I don't 21 BY MS BRANNEN:		8 9 10 11 12 13 14 15 16 17 18 19 20	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?  A. If they become significant, whatever that means to me, perhaps, but not necessarily.  Q. What would that mean to you? What would be a significant cost to you?  A. I don't know. Like I said, it would depend on how I feel at the time.  Q. What do you understand your job to	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 Q. And I may have already asked you 14 this, but do you know how many other 15 proposed class representatives there 16 are? 17 MS FOX: It's been asked. 18 He said in the thousands. 19 THE WITNESS: Yeah. 20 MS BRANNEN: No, I don't 21 BY MS BRANNEN: 22 Q. Thousands of proposed class		8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?  A. If they become significant, whatever that means to me, perhaps, but not necessarily.  Q. What would that mean to you? What would be a significant cost to you?  A. I don't know. Like I said, it would depend on how I feel at the time.  Q. What do you understand your job to be, sort of your role as a class	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 Q. And I may have already asked you 14 this, but do you know how many other 15 proposed class representatives there 16 are? 17 MS FOX: It's been asked 18 He said in the thousands 19 THE WITNESS: Yeah 20 MS BRANNEN: No, I don't 21 BY MS BRANNEN: 22 Q. Thousands of proposed class 23 representatives?		8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?  A. If they become significant, whatever that means to me, perhaps, but not necessarily.  Q. What would that mean to you? What would be a significant cost to you?  A. I don't know. Like I said, it would depend on how I feel at the time.  Q. What do you understand your job to be, sort of your role as a class representative?	
9 Do you think your claims are 10 similar to the class of plaintiffs you 11 purport to represent? 12 A. Yes. 13 Q. And I may have already asked you 14 this, but do you know how many other 15 proposed class representatives there 16 are? 17 MS FOX: It's been asked. 18 He said in the thousands. 19 THE WITNESS: Yeah. 20 MS BRANNEN: No, I don't 21 BY MS BRANNEN: 22 Q. Thousands of proposed class		8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I've not been reimbursed for any of my expenses, and I have not to date asked for reimbursement of any of my expenses.  Q. Do you plan to ask for reimbursement of any of your expenses?  A. If they become significant, whatever that means to me, perhaps, but not necessarily.  Q. What would that mean to you? What would be a significant cost to you?  A. I don't know. Like I said, it would depend on how I feel at the time.  Q. What do you understand your job to be, sort of your role as a class	

#### 2/23/2005 IN RE: ADAMS GOLF, INC., SECURITIES LITIGATION

	ŗ	Page 134			Page 136
<u>L</u> 1	process, through a process which will		1	A. Justice and a return of our loss,	ı
2	allow the claim to be heard, to be	Ì	2	but, more importantly, justice. I wish	Į.
· <sup>-</sup> /3	presented in a professional manner, and		3	this was a criminal case instead. You	
4	to be presented and defended in a manner		4	know, that's what I'd like to see, these	
5	which will maximize the recovery of our		5	folks go to jail.	
6	loss		6	Q. If you were to prevail in your	i
7	Q. Can you tell me approximately how		7	suit, what do you believe that you're	
8	much time you've spent fulfilling your		8	entitled to in terms of damages?	
9	duties so far as lead plaintiff and a		9	A. I think I'm entitled to all the	
10	proposed class representative?		10	money I think the class is entitled	
11	A. Over the course of the last few		11	to the money it lost and some return on	
12	years since this claim was filed, I		12	that money and reimbursement of all of	
13	stayed in touch with the attorneys,		13	our expenses to pursue the return of	
14	calling them from time to time,		14	those that loss and anything else	Į.
15	inquiring as to the status, getting		15	that the law entitles me to be	
16	briefings over the phone in terms of		16	recoverable.	
17	what has happened, discussed strategy		17	Q. What's your understanding of the	
18	with them, and came in here last night,		18	monetary recovery that you might receive	
19	spoke to them about the claims, met with		19	as a result of the lawsuit?	
20	them this morning.		20	A. Personally?	
21	I don't know how many hours		21	Q. Yes.	
22	2 all that is.		22	A. I haven't done a I haven't done	
23	B Q. You think it's, I don't know,		23	any calculations. I - my loss is	
24	approximately eight hours' worth of work		24	something like \$49,000.	
2.5	or more than that?		25	Q. Do you know what you are claiming	
<u> </u>			<u> </u>		
丿		Page 135			Page 137

MS FOX: Well --2 THE WITNESS: It's more than 3 that. BY MS. BRANNEN: 5 Q. More than two days?

A. I never really kept track of the time. It's the -- it's the quality of 7

the time that's important to me and

whether or not we're making progress and

10 whether or not this is a claim worth

pursuing. 11

12 Q. What parts of the lawsuit do you

13 intend to directly participate in beyond

this deposition? For example, will you

attend the class certification hearing?

16 A. If required, I will. If

17 required. I'll attend whatever hearings

my presence - where my presence is 18

19 required in the opinion of my attorneys.

20 Q. So would future travel to Delaware 21 impose any kind of burden on you?

22 A. Not a burden that can't be

overcome.

24 Q. And what do you stand to gain personally as a class representative? are the total damages to the class?

2 A. It's many millions of dollars. I

mean, I don't know what the exact number

is, but it's a big number.

5 Q. Do you believe that you're

entitled to anything more than other

7 class members on a percentage basis?

8 A. No.

Q. Do you have any kind of agreement

10 in place that would compensate you by

any additional amount that's not 11

available to the other class members? 12

13 A. Absolutely not.

14 Q. Would you be willing to attend a

15 mediation in this case?

16 A. Yes.

17 Q. Did you know there is a mediation

set for June 1st, 2005? 18

19 A. Yes.

20 Q. Are you planning to attend that?

21 A. That will be a strategic question

-- that's a strategic question that 22

needs to be asked and discussed between 23

24 myself and the attorneys, my attorneys.

Q. Who has the authority to settle

35 (Pages 134 to 137)

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HN MORRASH	212312	2005	IN RE. ADAMS GOLF, ING, GLOCICITED 21	
.1 0	Page 138	1	A. My agreement is it's a contingent	Page 140
the case?		l	fee. I don't pay them anything unless	-
2 A. The case will be settled based		2	this case is successful, and then they	ų
upon an agreement that is reached		3		
between well, I guess only the		4	get paid based upon their application	
5 plaintiffs have the authority to settle		5	for a fee and based upon and after a	
the case. The attorneys don't have the,		6	review by a Court.	
7 to my knowledge, the authority to settle		7	Q. And do you know what percentage of	
the case unless we give them the		8	the recovery the contingency fee would	
authority to settle it, and I haven't		9	be?	
0 given anyone the authority to settle		10	A. I don't know.	
1 this case.		11	Q. Do you know how much your	
<ol><li>Q. Do you plan on attending the</li></ol>		12	attorneys bill per hour?	
3 entire trial?		13	A. I don't know because I'm not	
4 A. If there's a trial, I'm sure I'll		14	paying them by the hour.	
5 be there for some portion of it.		15	Q. I know you talked about that Bill	
6 Q. But not the entire thing?		16	Schockley sort of took your discussions	
7 A. Depends on what's required.		17	about whether this might be a case to an	
8 Q. Can you identify who		18	attorney; I forget the name. Can you	
9 specifically is your attorney		19	tell me again?	
20 representing you?		20	A. Abrahams Loewenstein, I believe.	
MS. FOX: Object to that.		21	Q. That's right.	
How what do you mean by		22	And that then from there it	
who is his attorney?		23	kind of made its way to some of the	
MS. BRANNEN: I'm just asking		24	other attorneys that are representing	
25 him who his		25	you now. Were you involved in choosing	
	Page 139			Page 14
1 MS. FOX: People signed the	***	1	those attorneys?	
2 Complaint All of whom represent him,		2	A. No, I wasn't.	
3 obviously.		3	Q. Do you know how they were chosen?	
4 BY MS. BRANNEN:		4	A. They were chosen on the advice of	
5 Q. Can you please answer the		5	counsel beginning with Abrahams	
6 question?		6	Loewenstein and being passed on from	
7 A. Sure. My attorneys Liz Fox and		7	that point.	
8 Don Lewis and Todd Collins and anyone	<b>:</b>	8	Q. And why were they chosen?	
9 else they need to get done what they		19	A. They were chosen based upon their	

else they need to get done what they need to get done to pursue this case. 10 Q. And do you have a Fee Agreement 11 12 with your attorneys? 13 A. Yes. 14 Q. Is it a written agreement? 15 A. No. The agreement is that if this

case is successful, they'll be paid

17 something that will be reviewed and

recommended by a judge. 18

Q. Do you have any agreement with 19

20 them about what they will ask the judge

21 for?

A. I haven't even discussed that. 22

Q. So your agreement -- can you just 23

24 explain to me again then what the

agreement is? I'm confused.

10 competency and expertise to handle a

11 case of this nature.

12 O. Do you know whether competitive

13 bids were taken from different law

14 firms?

17

A. To my nature, there were no 15

16 competitive bids.

I'm sorry. To my knowledge,

not my nature. 18

Q. And I think we may have gone over 19

this already and if so, I apologize. 20

Can you tell me again how many times you 21

physically met with your attorneys in 22

23 this case?

A. I met with them by phone on many 24

occasions. I met with them in person 25

OHN MORRASH	2/25/2005 IN RE. ADAMS GOET, 110, 520	
travel, filing fees with the Court, sending out notices to the class, that kind of thing?  A. They pay it themselves. If they're successful, if the class is successful, then they will be reimbursed a fee and likely some amount of their expenses as well. Q. So have you agreed to reimburse the attorneys for all costs regardless of the outcome of the lawsuit?  A. I haven't agreed to MS. FOX: Objection.  BY MS. BRANNEN: Q. You can still answer the question. A. I haven't I have not agreed to anything in that respect. Q. What understanding do you have about any costs that you might have to pay?  A. My understanding is that I'm entitled to be reimbursed for out-of- pocket expenses, but you know, like for my travel here, for parking, but, you know, I don't necessarily intend to	1 costs He's explained that He's 2 explained how we get our costs, i 3 get our costs, and otherwise it's si 4 not part of this litigation 5 BY MS BRANNEN: 6 Q You can still answer my ques 7 MS FOX: There's no reas 8 for him to It's completely irrelev 9 MS BRANNEN: Are you 10 a privilege objection? 11 MS FOX: No I'm makin 12 relevance objection. 13 MS BRANNEN: Well, you 14 instruct him not to answer the quality of the has some 15 knowledge on the subject, he can 16 knowledge on the subject, he can 17 knowledge on the subject, he can 18 it But I think we've gone on 19 MS BRANNEN: And I'd 20 appreciate it if you'd stop makin 21 speaking objections after this. 22 MS FOX: You've gone o 23 length with your irrelevancies ar 24 think you can get be through you me subject. Okay	mply stion. on vant. making g a ou can't estion ction. a answer  g ff at ad I with it.
1 pursue reimbursement for that. 2 Q. Do you have any knowledge of what 3 costs are involved beyond the examples I 4 just gave you? 5 A. I believe you've covered it. 6 Court fees, travel expenses, filing 7 fees. 8 Q. Court reporter costs? 9 A. Court reporter. 10 Q. I didn't cover that one. 11 A. Yeah. 12 MR. LEWIS: She doesn't get 13 paid. 14 BY MS. BRANNEN: 15 Q. Do you know what the magnitude of 16 all of these costs can be? 17 A. No, I haven't attempted to 18 estimate it. 19 Q. I mean, just thinking about it, 20 would you estimate it to be in the 21 thousands? 22 A. It's not really relevant— 23 MS. FOX: I'm going to object 24 to this whole line of questioning. 25 He's not responsible for	1 I'd appreciate it if you'd stop ma 2 speaking objections, and I'd ask 3 the witness please answer the qu 4 THE WITNESS: Can you 5 the question, please? 6 MS. BRANNEN: Would 7 it back, please. 8 (The court reporter read by 9 the following: 10 "QUESTION: I mean, just 11 thinking about it, would you est 12 to be in the thousands?") 13 BY MS. BRANNEN: 14 Q. And I was referring to the 15 magnitude of the costs. 16 A. The magnitude of the cost 17 a matter for my concern. I'm 18 responsible for it. They're 19 Q. Have you taken I'm sorry 20 A. They operate at risk here 21 Q. Have you taken any steps to 22 the costs incurred in the lawsuit 23 A. It's self-managing by way 24 the by virtue of the fact that 25 only get paid if they win, so it	that nestion. n repeat  you read eack et imate it  ts is not not  o manage t? o of at they

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		Page 158			Page 160
. 1	know.		1	about the loss and probably wanting to	
2	And so it's all discussions		2	take the tax loss in end-year. I don't	
1 3	after this lawsuit was filed, so then		3	really remember the specifics.	
4			4	Q. At what point did you get	Ì
5			5	concerned about the amount of money that	
6			6	the Adams Golf shares had lost?	
7	MS. FOX: Well, we're going		7	A. My recollection is that it dropped	
8			8	it dropped pretty quickly, so	
9			9	Q. Quickly after the IPO?	İ
1(			10	A. Yes. Certainly because this is	
1	-		11	between June or July, whenever the	
l i			12	IPO the shares, let's see. They were	
			13	purchased on traded July 10th, so	
			14	when — in less than six months, it	
lî	•		15	dropped \$12 and some change.	
			16	So and it dropped my	
li			17	recollection is that it dropped pretty	
lî			18	steeply. It's not like I don't	
1	9 A. Yes. Yes. These are my trading		19	recall specifically. I don't think it	
1	0 records.		20	sort of worked its way down. I think it	
2			21	dropped pretty quickly.	
	2 JMM 7 And so you bought 4,000 shares		22	Q. So I guess what I'm trying to get	
1	3 of Adams Golf on July 10th is what this		23	at is how close you were tracking the	
	4 reflects; is that correct?		24	drop. At what point would you have	
	5 A. Uh-huh.		25	instructed your broker that it was okay	
	4 4 7 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4		<u> </u>		
		Page 159			Page 161
1	t O A 141 - 16 11 leade at TMM 2			to sell it at any time?	

Q. And then if you'll look at JMM 3, this document reflects a sale of 4,000

shares on December 30th, 1998? 3

4

Q. Why did you decide to sell your 5

shares at this point? 6

A. I don't recall specifically if I

made the decision to sell or whether or 8

not my broker made the decision to 9

sell. But it was done at the end of the 10

year, I think I can safely assume, so 11

that the tax loss could be taken in

12

13 1998.

14 Q Would your broker ordinarily

confer with you before he sold something 15

16 at a loss, especially a substantial

17 loss?

A. Yes. But we had discussed this 18

stock. He had my okay to sell it pretty 19

20 much, you know, at his discretion.

Q. At what point did you give him 21

22 his -- your okay to sort of sell it at

any time? 23

A. I don't really remember

specifically. I remember being upset

to sell it at any time?

A. I don't really recall. I would

just trying to be reconstructing history

based on the best of my guess, I guess.

I don't remember specifically. 5

MS. FOX: Don't guess. If

you don't remember, you don't remember.

THE WITNESS: Yeah I don't

remember specifically.

10 BY MS. BRANNEN:

O. I guess my other question would 11

be, did you have some sort of standard 12

practice? If something that he 13

purchased for you started losing money, 14

did you guys have some kind of standard 15

16 agreement about, you know, at what --

kind of what percentage loss or some 17

other way that you determined, you know, 18

that we should just get out of it? 19

20 A. It wasn't that -- it was -- it

wasn't that formal because he's a friend 21

of mine. He was, you know, doing very 2.2

well for me. I don't expect, you know,

23

every one to be a winner, but he had 24

discretion.

41 (Pages 158 to 161)

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All that kind of information is relevant and is information that's considered by people who buy and sell 3 investments on a daily basis. Q. How fast do you think that such 5 information is assimilated by the 6 market, the stock market? 7 8 A. Today? 9 MS. FOX: If you know. THE WITNESS: In my --10 BY MS. BRANNEN: 11 Q. In your layman's opinion. 12 A. In my layman's opinion? Faster 13 every day, with -- the world pretty much 14 15 operates in real time. O. Does that kind of information 16 influence your investment decisions? 17 18 A. Yes. 19 Q. Or maybe, I guess, a better 20 question is, does it influence your 21 broker's investment decisions? Because 22 do you actually -- I think you were saying earlier you don't really have 23 time to follow all the stocks that you're invested in

courses overnight. You don't convince more Americans they should be playing 2 golf overnight. It's a -- it's -- in my layman's opinion, it's something that happens over a period of time. 5 6 BY MS. BRANNEN: Q. Do you --7 A. But it's different for each -it's different for each business. 9 10 Q. Do you think that global or macroeconomic forces in general affect a 11 12 company's stock price? 13 A. Of course. Q. And do you think those kinds of 14 15 forces affected Adams Golf stock at any 16 time during the class period? 17 A. No. Not in a negative way. No. 18 Q. Have you ever met or known anyone at Adams Golf, an employee or a former 20 employee of Adams Golf? A. I was at a golf show once and 21 stopped by the Adams Golf booth and told 22

a person there how upset I was about

I don't know her name. I just sort of

losing almost \$50,000 in their company.

23

2/23/2005 IN RE: ADAMS GOLF, INC., SECURITIES LITIGATION

OHN	MORRASH	2/23/2	.005		
		Page 182	1	your the trading records that you	Page 184
4	A. I would not.		2	produced regarding your Adams Golf	li di
	Q. I understand you testified earlier about your agreement with your counsel		3	transactions	
3	regarding fees ultimately to be		4	A. Uh-huh.	100
	determined by the Court		5	Q that reflects all the the	
5 6	A. Uh-huh.		6	only two transactions that you ever made	
7	Q. Do you have a written retention		7	in Adams Golf stock; is that correct?	
8	agreement with Berger & Montague?		8	A. That's correct.	ļ
9	A. No.		9	Q. Okay. I just wanted to make sure	
10	Q. Do you have a written retention		10	there weren't any other purchases or	
11	agreement with any of the attorneys		11	sales at a different time period.	
12	whose names are listed on this		12	A. No.	3 1
13	Complaint, Exhibit 19, Mr. Lewis?		13	MS. BRANNEN: Okay. Can we	
14	A. No.		14	just take a quick five-minute break and	
15	Q. Abrahams Loewenstein & Bushman,		15	I just want to make sure I've covered	
16	and the Olsen law firm, do you have any		16	everything.	
17	there?		17	MS. FOX: Sure.	
18	A. I do not.		18	MS_BRANNEN: Off the record.	
19	Q. Is there any form of written		19	(Recess, 3:22-3:24 p.m.)	
20	document that sets out the parameters of		20	MS BRANNEN: I think I'm	ľ
21	your attorneys' representation of you in		21	done.  MS. FOX: I have one	
22	this suit?		22		
23	A. There is not.		23 24	question MS. BRANNEN: Okay	
24	Q. I believe you said earlier that		25	EXAMINATION	
.25	Mr. Bill Schockley works with a private		23	LAMMINITION	
		Page 183	_	DYLLG TOY	Page 185
1	equity firm; is that correct?		1	BY MS. FOX:	
2	A. Yes.		2	Q. Is it your understanding that Adams Golf itself is a defendant in this	
3	Q. Can you tell me the name of that		4	litigation?	
4	firm?		5	A. Yes, the company. Yes.	
5	A. I mean, I don't know why that's		6	Q. Did you know that at the time you	
6	relevant. That's his business, where he		7	were asked to recite the defendants this	
8	works, not mine. Q. You're not going to answer the		8	morning	
9	question?		9	A. I did	
10	A. No, I'm not going to answer the		10	Q the first or second question?	
11	question.		111	A. I did know that, yes.	
12	Q. Is there a reason why you're not		12	Q. And you just forgot, you said?	
13	going to answer the question?		13	A. Yes. I just	
14	A. I just don't think it's relevant.		14	MS. FOX: Okay That's fine	
15	I'm not going to tell you where he works		15	Thank you	
16	or where he lives. It's just it's		16		
1	his right to privacy.		17		
17			18		
18	MR McEVOY: Okay. That's		1 4 ~	concluded at 3:24 p.m.)	
18 19	all I have.		19		
18 19 20	all I have. EXAMINATION		20		
18 19 20 21	all I have EXAMINATION BY MS. BRANNEN:		20 21	TESTIMONY CLOSED	
18 19 20 21 22	all I have.  EXAMINATION  BY MS. BRANNEN:  Q. I just have one or two more		20 21 22	TESTIMONY CLOSED	
18 19 20 21 22 23	all I have.  EXAMINATION  BY MS. BRANNEN:  Q. I just have one or two more questions. I just want to make sure		20 21 22 23	TESTIMONY CLOSED	
18 19 20 21 22	EXAMINATION  BY MS BRANNEN: Q. I just have one or two more questions. I just want to make sure that I got clear for the record the		20 21 22	TESTIMONY CLOSED	

ADGO DOB,



Adam Golf Litigation

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JOHN M SANDRA 3901 SH			4000	S - YOU SOLD	B · YOU BOUGHT		
JOHN M MORRASH & SANDRA M MORRASH & 3901 SHERWOOD LANE DOY! FSTOWN PA 18901			ADAMS GOLF		NOITGIBORRO		
,,		WATER TO STATE OF THE PARTY OF	36339		PRICE	1	PHILADELPHIA, PA 19103-167: 1801 MARKET STREET 1215) 655-6000
	6 CH4860268326	ACCOUNT NUMBER	1453560		AMOUNT INTEREST	SE	PHILADELPHIA, PA 19103-1675 AT. LAUREL, N 1801 MARKET STREET 1000 ATRIUM W (215) 605-6010
	<b>1</b>	Accident			EST AL	EREVERS	J. OF
	90	TRANS	\$		S.E.C. FEE HANDLING	E SIDE	3054 FR10
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мемвен	06 12/30/9801/05/	TE SEI LEWE	-		NET AMOUNT	SEE REVERSE SIDE FOR IMPORTANT INFORMAT	ĎG.)

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This transaction is subject to the constitution, rules begulditions customs and usages of the Exchange or Market (and its Cleaning House if any) where executed and to the provisions of the Security Exchange Act of 1934 and the units and requirements of the Sacurities and exchange of the securities and requirements of the Malborial Association of Securities and or units are or may be hypotherated and committee of in accordance with the requirements of the Malborial Association of Securities and or usually accelved to usually received by usually usually usually received. A cheek shall not be considered payment until it has been if we have acted as your agent, the name of the other party to the transaction, time of execution and renumeration will be furnished upon written request.

For holders of cariain Zero Coupon Municipal Bonds, there are no periodic payments and; if applicable, may be cellable below malutly value without notice by maif to Holder unless Registered.

If this transaction was executed on a Canadian exchange, the amount shown under interest or state lax on the lace hereof represents the aggregate amount of the conversion differential between Canadian and American currency on the date of the transaction.

If the symbol (\*) appears in the security description on the face hereof, the dilering of the descurity has been made solely by means of the prespectus relating thereto, a copy of which has been or will be delivered to you receipt of which is acknowledged by payment hereof.

If the symbol (\*) appears in the security description, it indicates that the security is "Foreign" and may be subject to interest equalization tax.

If the symbol (\*) appears in the security description, it indicates that there is a 100% initial margin requirement on the purchase of the society.

If the symbol (\*) appears in the price, it indicates that an odd for differential has been added to the pince on purchase or seles. On the New York Stock Exchange this amount is 12% on the other cases.

On certain orders, we may receive ennureration for directing these orders to particular broker/dealers or market conters for execution. If any companiation was received in connection with your transaction, the source and amount an explanation will be provided upon request. is available at your request. Pegarding CMO's and other asset - backed securities. He entrippeted yield and overage life of the security will fluctuate depending on actual prepayment experience and current intensity relatives trained available on

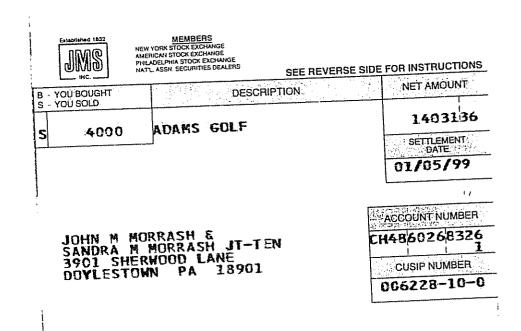
Other ທ່ຜ

Withholding When issued

Type of account Explanation

Please retain this confirmation for income tax purposes

Type of transaction The capacity in which we have acted in this transaction is indicated by the number appearing on the face thereof and described as follows:	<ol> <li>As agent for another account</li> <li>Agent for both buyer and seller; the 'same'</li> </ol>	or like commission has been charged by the broker to the castomer on the other stee of the	Itansaction. 14, American Stock Exchange-Onlines	15. Chicago Board Options Exchange 25. Pacific Stock Exchange	35. Philadelphia Slock Exchange
Type of transaction The capacity in which we have acted in thereof and described as follows:	01. As principal for our account.	As agent for your account on: 02. New York Stock Exchange	03. Chicago Slock Exchange 04. American Stock Exchange	05. Other 06. Over the counter	



## **INSTRUCTIONS**

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PLEASE RETURN THIS STUB WITH REMITTANCE MAKE CHECKS PAYABLE TO JANNEY MONTGOMERY SCOTT INC . OR JMS.

#### **FOR SECURITIES SOLD**

PLEASE RETURN THIS STUB WITH CERTIFICATES

B - YOU BOUGHT S - YOU SOLD

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4000

ADAMS GOLF

SYMBOL ADGO

CUSIP NO 006228-10-0

SECURITIES INVESTOR PROTECTION CORPORATION

JOHN M MORRASH & SANDRA M MORRASH JT-TI 3901 SHERWOOD LANE DOYLESTOWN PA 18901 PROSPECTUS MAILED UNDER **(**)

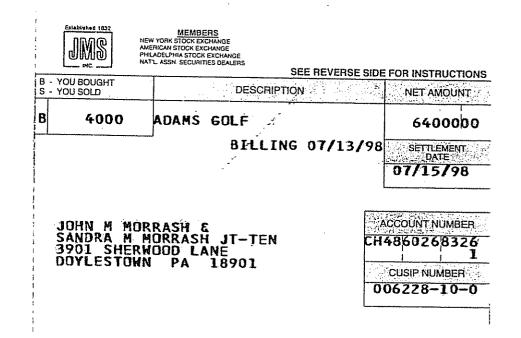
SEPARATE

COVER

DESCRIPTION BILLING 07/13/98 PRIOE 160000 AMOUNT 6400000 CH4860268326 ACCOUNT NUMBER INTEREST SEE REVERSE SIDE FOR IMPORTANT INFORMATION **;** PEC PEE 2 OP OF OPPOSITE OPP 07/10/9807/15/98 TRADE DATE. NET AMOUNT SETTLEMENT 6400000

PHILADELPHIA, PA 19103-1875 1000 ATRIUM
1801 MARKET STREET
(215) 865-8000 Naj 08054 WAY (ATRIUM I BLDG.)

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Explanation Type of account 1. Cash 2. General 3. Withholding 4. When issued 5. Short 6. Short	On certain orders, we may receive remunoration for directing intesting intesting intesting intesting intesting intertains internal interna	If the symbol (*) appears in the security describion, indicates that the security is "Foreign" and may be subject to interest equilibilities administering the payment home security described. Indicates that the security described in the security described. It indicates that there is a 100% holist margin requirement on the purchase of deducted on sales. On the New York Steek Exchange this amount is the symbol (*) appears in the security described, it indicates that an odd lot differential has been added to the price on purchases of deducted on sales. On the New York Steek Exchange this amount if the symbol (*) appears in the price, it indicates that an odd lot differential has been added to the price on purchases of deducted on sales. On the New York Steek Exchange this amount if the symbol (*) appears in the security described in the price payment in the price payment in the security described in the price payment in the payment i	Securities shall not be detired. We want to be buyer to the buyer to be transaction, lime of execution and renumeration will be furnished upon winter. Problem of the buyer unless flagistated. Collected, On collection, little to these securities shall be transaction, lime of execution and renumeration and the furnished by mail to Holder unless flagistated. It we have acted as your egont, the name of the other party to the transaction, may be called be formulated by mail to Holders of correct again, the name of the party to the fragments and the conversion differential between Cannellan and periodic payments and state for state for on the face hereof represents the originate amount of the conversion differential between Cannellan and the face hereof, the delivered to you.  If the transaction was overelled on a Cannellan exchange, the amount shown under interest security has been made solely by means of the prospectus relating thereto, a copy of which has been on the date of the transaction.	Terms and Conditions  This transaction is subject to the constitution, rules regulations, customs and to be Exchange or Market (and its Clearing House it any) where executed and to the provisions of the Securities Daviers. Inc.  This transaction is subject to the constitution, rules regulations, customs and or the Footoral Reserve Board, and also in a recordence with the requirements of the National Association of Securities Daviers. Inc.  This transaction is subject to the constitution, and or the Footoral Reserve Board, and also in accordance with securities carried for other customers.  Footoral Reserve A check shall not be constituted by us. Title to securities tellowing by us shall not press until support is actually received. A check shall not be constituted by us. Title to securities tellowing by us shall not press until support is actually received.
As agent for our account on:  As agent for your account on:  As agent for your account on:  New York Stock Exchange 03. Chicago Stock Exchange 04. American Stock Exchange 05. Other 06. Over the counter	y the security will fluctuate depending on netual prepays the security with the capacity in which we have action and described as follows:	and may be subject to interest equilitization las right requirement on the purchasto, of the securi of the price on purchases of deducted on sales of the price on market centers for execution. If any of Jadiers or market centers for execution. If any of	in and recumeration will be furnished upon with pilicable, may be callable below maturity value tate for on the face horant represents the aggir the face horant represents the aggir these security has been made solely by means of	Terms and Conditions have it any hange it Market (and its Clearing House it any) hange it Market (and its Clearing House it any) rid, and also in accordance with the requirement, with securities carried for other customers, with securities terivered by us shall not pass until paymrides delivered by us shall not pass until paymrides delivered by us shall not pass.
<b>an a</b> n 7	equate depending on netual prepayment experience and current interest rates. Further intermetion available on Type of transaction and testing on the face Type of transaction which we have acted in this transaction is indicated by the number appearing on the face The capacity in which we have acted in this transaction is indicated by the number account.	illy. On the New York Stekk Exchange this amount is 12% coper share. In all other cases, On the New York Stekk Exchange this amount is 12% coperation was received in connection with your transaction, the source and amount	without notice by mail to Holder unless flegistated. without notice by mail to Holder unless flegistated. again amount of the conversion differential between Canndian and Arro again amount of the conversion, a copy of which has been or will be d of the prospectus relating thereto, a copy of which has been or will be d	) where executed and to the provisions of the Security Exchange Act of 1834 and the rise of the National Association of Securities Doalors. Inc. nearly received. A chack shall not be considered payment until it has been secured.
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# **INSTRUCTIONS**

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### FOR SECURITIES SOLD

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# ADAMS GOLF, INC. SECURITIES LITIGATION CERTIFICATION PURSUANT TO THE FEDERAL SECURITIES LAWS

John M. & Sand M. Morrash

("Plaintiff") duly swears and says, as to the claims asserted under the federal securities laws, that:

- 1. I have reviewed the complaint and have authorized the filing of a substantially similar complaint on my behalf.
- 2. The security that is the subject of this action was not purchased at the direction of plaintiff's counsel or in order to participate in this private action.
- 3. Plaintiff is willing to serve as a representative party on behalf of the class, including providing testimony at deposition and trial, if necessary.
- 4. The transactions in the security that is the subject of this action during the Initial Public Offering are as follows:

<u>Date</u> 7-10-98	Number of Shares Purchased 4000	Price Per Share /6.00	
			1055 #49,464

<u>Date</u>	Number of Shares Sold		Price Per Share
12-30-98	4000	#	3.6339

Filed 03/14/2005

to 9 JATOT

- 5. Plaintiff has not sought to serve as a class representative in any securities fraud class action in the last three (3) years, unless indicated below.
- 6. Plaintiff will not accept any payment for serving as a representative party on behalf of the class beyond the Plaintiff's pro rate share of any recovery, except as ordered or approved by the court for reasonable costs and expenses (including lost wages) directly relating to the representation of the class.

I declare under penalty of perjury under the laws of United States that the foregoing is true and correct. Executed this 12 day of April, 1999, at

John M. Morrock Sandia M. Monach

Morrock Sandia M. Morrock

AdamsGolfCenform/213045.W

- 5. Plaintiff has not sought to serve as a class representative in any securities fraud class action in the last three (3) years, unless indicated below.
- 6. Plaintiff will not accept any payment for serving as a representative party on behalf of the class beyond the Plaintiff's pro rata share of any recovery, except as ordered or approved by the court for reasonable costs and expenses (including lost wages) directly relating to the representation of the class.

I declare under penalty of perjury under the laws of United States that the foregoing is true and correct. Executed this 12 day of April, 1999, at

John M. Merrock Sandra M.
Morrock

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Page 34 of 34 JMM 15 Case 1:99-cv-00371-GMS Document 145-11 Filed 03/14/2005 3008702 Page 3 of 4 Acct Type Acct Type Acct Type T CASH Acct STATEMENT OF ACCOUNT 14,031.36 Credits Credits TAX ID # 187-42-5247 11480 Pepfis gananak Sananak 3,6339 TOTAL TOTAL TOTAL ACCOUNT NUMBER CH48 6026-8326 STATEMENT PERIOD 11/28/98 - 12/31/98 MONEY/MARKETPURCHASE/AND SALE/ACTIVITY MEMBER NEW YORK STOCK EXCHANGE INC. AND OTHER PRINCIPAL EXCHANGES INCOMEVANDEXPENSE/AGIT/VITA/新科·EMMANAEM Lines Januery Montgomery Scott ROTHER VACTIVITY REGISTRATES THE RESIDENCE MONEY/MARKET/CHECKING/ACTIVITY WILL Transaction 1,000- ADAMS GOLF SEGURITIES BOUGHT AND SOLD AN Suantity S JOHN M MORRASH & SANDRA M MORRASH JT-TEN SALE